IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31774 of 2008
VINOD KUMAR YADAV @ BINOD KUMAR YADAV
S/O-Lutan Yadav, R/O-Village-Rajpur Bagaha (Jirat) P.S.-Semarahi, Distt.-Kushinagar (U.P.).
…Petitioner.
Versus
STATE OF BIHAR

3/ 20.10.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner seeks bail in a case which has been registered under Sections 489(B), 120(B)/34 of the Indian Penal Code.

One motorcycle was intercepted the petitioner was driving that motorcycle. From the dickey of that motorcycle 40 counterfeit currency notes of 500/- and Rs. 1000/- were recovered.

Submission is that Section 489(B) of the Indian Penal Code is not attracted because there is not even one allegation that the petitioner was using that counterfeit currency notes. The case at best comes under Section 489 (C) of the Indian Penal Code which prescribes the punishment for using of that currency notes and that offence is bailable.

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Considering the facts and circumstances of the case, the petitioner Vinod Kumar Yadav @ Binod Kumar Yadav is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Bagaha, West Champaran in connection with Thakaraha P.S. Case No. 63 of 2008.

kksinha/ **(Shyam Kishore Sharma, J.)**

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